



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Inventor(s): Mills

Group Art Unit: 1745

App'n Ser. No.: 09/008,947

Examiner(s): Kalafut *for*
the Secret Committee

Filing Date: 01/20/1998

Title: HYDRIDE BATTERY AND FUEL CELL

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10 May 2007

**RESPONSE TO FINAL OFFICE ACTION MAILED 13 NOVEMBER 2007 AND
NOTICE OF APPEAL**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

05/14/2007 DEMAND 00000002 09008947

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Sir:

Applicant files this paper in response to the Final Office Action mailed 13 November 2006. Please consider this paper a Petition for a three-month extension and a Notice of Appeal.

Reconsideration and allowance of the subject application are respectfully requested. Claims 1, 2, 4-6, and 10-59 are pending in the application.

In addition to the comprehensive disclosure in Applicant's originally filed specification, Applicant has submitted new, non-cumulative scientific evidence further confirming the existence of lower energy states of hydrogen, which evidence includes, but is not limited to, analytical studies of spectroscopic lines, energy output, compositions of matter, generated plasmas, and inverted hydrogen populations. As detailed below, Applicant also identifies independent third-party data pursuant to the PTO's agreement, which evidence resulted in verbal confirmation by Examiner Wayne Langel that two BlackLight applications formally handled by him were allowable before he was told to misrepresent that fact and, thus, was forced to resign from examining those cases "for moral and ethical reasons."

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